

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|---------------------------|---|------------|
| UNITED STATES OF AMERICA, |) | 4:11CR3034 |
| |) | |
| Plaintiff, |) | |
| v. |) | MEMORANDUM |
| |) | AND ORDER |
| STEVEN MILES SULLIVAN, |) | |
| |) | |
| Defendant. |) | |
| |) | |

This matter is before the court on the findings and recommendation filed by Magistrate Judge Cheryl R. Zwart on August 17, 2011 (filing [38](#)). Judge Zwart recommends that the defendant's motion to dismiss (filing [25](#)) and motion to suppress (filing [27](#)) both be denied in their entirety. The defendant has filed a statement of objections (filing [39](#)) to the findings and recommendation regarding the motion to dismiss, but he has not objected to the findings and recommendation regarding the motion to suppress. The matter is now ripe for decision under [28 U.S.C. § 636\(b\)\(1\)](#).

I find and conclude after de novo review that Judge Zwart has correctly found the facts and applied the law. Her findings and recommendation therefore will be adopted, and the defendant's motions will be denied.

IT IS ORDERED:

1. The magistrate judge's findings and recommendation (filing [38](#)) are adopted.
2. The defendant's statement of objections (filing [39](#)) is denied.
3. The defendant's motion to dismiss (filing [25](#)) is denied.

4. The defendant's motion to suppress (filing [27](#)) is denied.

September 7, 2011.

BY THE COURT:

Richard G. Kopf
United States District Judge